

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

Civil Action No. 00-4509 (DMC)

In January 2005, the parties previously agreed, pursuant to Fed. R. Civ. P. 41(a)(1)(ii), to the dismissal with prejudice of Plaintiffs' claim that Defendants' manufacture, use, sale, offer for sale, or importation of Kariva™ infringes claims 1, 3, and 4 of U.S. Patent No. RE35,724, leaving no claims for infringement remaining in this action.

**Savient Pharmaceuticals, Inc., Organon  
(Ireland) Ltd., and Organon USA Inc.**

December 5, 2005

By: 

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**Duramed Pharmaceuticals, Inc. and Barr  
Laboratories, Inc.**

December \_\_, 2005

By: \_\_\_\_\_

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SO ORDERED: \_\_\_\_\_

Dennis M. Cavanaugh, U.S.D.J.

**Savient Pharmaceuticals, Inc., Organon  
(Ireland) Ltd., and Organon USA Inc.**

December \_\_, 2005

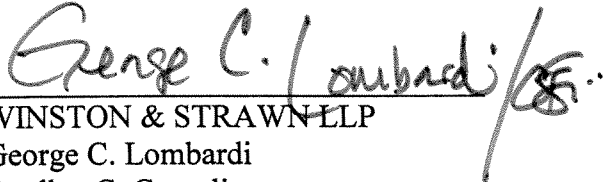
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**Duramed Pharmaceuticals, Inc. and Barr  
Laboratories, Inc.**

December 2, 2005

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